

**MINISTRY:**

**HUMAN SETTLEMENTS, WATER AND SANITATION**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NO.: 814**

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**Ms E L Powell (DA) to ask the Minister of Human Settlements, Water and Sanitation:**

What are the relevant details of (a) her department’s proposed amendments to the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, Act 19 of 1998, and (b) how the proposed amendments will assist municipalities (i) in safeguarding land under their custodianship from illegal occupation and (ii) to immediately repossess land lost to illegal occupation? NW1929E

**REPLY:**

(a) The proposed amendments to the Prevention of Illegal Eviction from Unlawful Occupation of Land Act, Act 19 of 1998 seek to make provision for the exemption of certain persons from the application of the Act;

* to prohibit certain acts in respect of unlawful occupation of land and to create offences relating to such acts and to extend the scope of prohibition thereof.
* to make a uniform procedural requirement to all 3 spheres of government in eviction matters and also extends the period of notice of proceedings, from 14 days to 2 months;
* the proposed amendment Bill provides for the inclusion of additional circumstances that the courts will have to consider in making orders in eviction matters.

(b)(i)&(ii) The proposed amendment Bill will provide municipalities with the basis on which they may institute urgent legal proceedings for urgent evictions.

The Bill also imposes preemptory mediation process on a municipality prior to instituting any legal processes to evict persons.

The Honourable Member will have an opportunity to comment on the proposed amendments once the Bill has been published for public comments and again when it is before Parliament for processing.